



Fact Sheet

Municipal Separate Storm Sewer System (MS4) NPDES Permit Program

- In 1987, the US Congress amended the Federal Clean Water Act to require EPA to implement an NPDES Stormwater Permit Program for municipal discharges. EPA was directed to develop a phased regulatory program for municipal type discharges. The municipal program includes counties as well as towns and cities.
- Based on these amendments, EPA promulgated the Phase I Stormwater NPDES Regulations in 1990 to address municipal separate storm sewer systems (MS4s). The Phase I regulations categorized MS4s as follows:
 - Large MS4s - entities with a population of 250,000 or more.
 - Medium MS4s - entities with a population of 100,000 or more but less than 250,000.
 - Small MS4s - entities with a population of less than 100,000. Small MS4s were not regulated under the Phase I NPDES MS4 program.
- The Phase I Federal Regulations required NPDES Permits for stormwater discharges from the Large and Medium MS4s. Application deadlines were also established for the Large and Medium MS4s. SC has no large MS4s and two Medium MS4s – Greenville County and Richland County. Greenville County and Richland County made applications and have been issued individual MS4 NPDES Permits by DHEC.
- EPA next promulgated the Phase II Stormwater NPDES Regulations in 1999. The Phase II regulations address:
 - Small MS4s with population of less than 100,000 that are located within urbanized areas (as defined by the US Bureau of Census) are Regulated Small MS4s.
 - Regulated Small MS4s must apply for a stormwater NPDES permit on or before March 10, 2003.
 - There are no provisions in the Federal Regulation for extension of the deadline.
 - SC presently has 70 Regulated Small MS4s. Twenty-two of these were captured under the program by the 2000 Census and the Bureau of Census' definition change of an urbanized area.
 - DHEC must issue NPDES Permits for stormwater discharges from the Regulated Small MS4s unless a waiver as addressed in the regulations is granted. The two waivers in the regulations are applicable to:
 - Regulated Small MS4s with less than 1,000 people located in an urbanized area. SC has nine entities in this category and 4 or 5 of these entities will probably get this waiver.
 - Regulated Small MS4s with less than 10,000 people in an urbanized area. Please note the waiver requirements for these entities are very stringent and difficult, if not impossible, to meet.

Regulated Small MS4s Summary:

- In accordance with Federal Regulations, Regulated Small MS4s must make an NPDES permit application by March 10, 2003. A list of the seventy SC Regulated Small MS4s is given on the back of this fact sheet.
- The Department has no authority to extend this deadline since EPA established it in Federal Regulation with no provisions for extensions.
- The Regulated Small MS4 application requirements are not new as they were established December 8, 1999.
- Twenty-two of the seventy Regulated Small MS4s were captured by the federal program based on the 2000 Census data and changes in the definition of an urbanized area by the Bureau of Census. These entities have known about the federal deadline since October 2002 as DHEC sent each of them a letter on the matter.

SC Regulated Small MS4s

Reference list of SMS4s in South Carolina that unless specifically exempted by a waiver granted by SCDHEC under 40 CFR and SC Regulation 61-9 Sections 122.32(d), or (e), are required to submit an NPDES application by March 10, 2003, based on the 2000 Census. Military bases, large hospitals, prison complexes, universities and colleges, sewer districts, and highway departments that own or operate an SMS4 within an Urbanized Area are also subject to 40 CFR and SC Regulation 61-9 Sections 122.26(b)(16) and 122.32(a). *The entities in italics were captured by the 2000 Census and the urbanized area definition change. The entities in bold may get waivers .*

Aiken
Aiken County
Anderson
Anderson County
Arcadia Lakes
<i>Atlantic Beach</i>
<i>Belton</i>
Berkeley County
<i>Briarcliffe Acres</i>
Burnettown
Cayce
Charleston
Charleston County
<i>Cherokee County</i>
<i>Conway</i>
Cowpens
Darlington County
Dorchester County
<i>Duncan</i>
<i>Easley</i>
Edgefield County
<i>Elgin</i>
Florence
Florence County
Folly Beach
Forest Acres
Fort Mill
<i>Fountain Inn</i>
Georgetown County
Goose Creek
Greenville
<i>Greer</i>
Hanahan
Horry County
<i>Inman</i>
Irmo
Isle of Palms
<i>Kershaw County</i>
<i>Laurens County</i>
<i>Lexington</i>
Lexington County
<i>Liberty</i>
Lincolnton

<i>Lyman</i>
<i>Mauldin</i>
Mount Pleasant
Myrtle Beach
North Augusta
North Charleston
<i>North Myrtle Beach</i>
<i>Pickens</i>
Pickens County
Pine Ridge
Quincy
Rock Hill
<i>Simpsonville</i>
South Congaree
Spartanburg
Spartanburg County
Springdale
Sullivan's Island
Summerville
Sumter
Sumter County
Surfside Beach
<i>Tega Cay</i>
<i>Travelers Rest</i>
Wellford
West Columbia
York County